

NO. B-0201118

SABINE STORAGE & OPERATIONS, INC.	§	IN THE DISTRICT COURT
Plaintiff,	§	
	§	
V.	§	JEFFERSON COUNTY, TEXAS
	§	
THE DOW CHEMICAL COMPANY	§	
Defendant.	§	60 TH JUDICIAL DISTRICT

**ORDER DENYING DOW'S TRADITIONAL
MOTION FOR PARTIAL SUMMARY JUDGMENT**

On this day the Court considered Defendant and Counter-Plaintiff The Dow Chemical Company's Traditional Motion for Partial Summary Judgment against Plaintiff and Counter-Defendant Sabine Storage & Operations, Inc., on two elements of Dow's breach of contract counterclaim. After considering the motion, evidence, response, and arguments of counsel, the Court finds that the motion should be in all things DENIED.

It is therefore ORDERED, ADJUDGED, and DECREED that The Dow Chemical Company's Traditional Motion for Partial Summary Judgment, and all relief requested therein, is DENIED.

The Court also makes the following rulings on Sabine's objections to Dow's summary judgment evidence:

1. Sabine's objection that Exhibit 3 to Dow's Motion is inadmissible hearsay, is



SUSTAINED and
it is STRICKEN

OVERRULED

2. Sabine's objection that Exhibit 10 to Dow's Motion is inadmissible hearsay, is



SUSTAINED and
it is STRICKEN

OVERRULED

3. Sabine's objection that Exhibit 11 to Dow's Motion is inadmissible hearsay, is



SUSTAINED and
it is STRICKEN

OVERRULED

4. Sabine's objection that Exhibit 12 to Dow's Motion is inadmissible hearsay, is



SUSTAINED and
it is STRICKEN

OVERRULED

5. Sabine's objection that Exhibit 14 to Dow's Motion is inadmissible hearsay, is



SUSTAINED and
it is STRICKEN

OVERRULED

6. Sabine's objection that Exhibit 16 to Dow's Motion is inadmissible hearsay, is



SUSTAINED and
it is STRICKEN

OVERRULED

7. Sabine's objection that Exhibit 20 to Dow's Motion is inadmissible hearsay, is



SUSTAINED and
it is STRICKEN

OVERRULED

8. Sabine's objection that Exhibit 21 to Dow's Motion is inadmissible hearsay, is



SUSTAINED and
it is STRICKEN

OVERRULED

SIGNED on this 17th day of November, 2021.



PRESIDING JUDGE

APPROVED AS TO FORM:

HIRSCH & WESTHEIMER, P.C.

By: /s/ Jessica Levy Kromar

Eric Lipper

State Bar No. 12399000

Jeff Shadwick

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**ATTORNEYS FOR PLAINTIFF,
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